

# Special Report

## Exhibit 3:

### Incident Report for 2/13/2020

**Comprehensive Report**

If ordered, the Comprehensive Report shall be submitted within five working days of the incident to the appropriate regional director or designee.

Facility:	DCF	2020-1001-078-II	Reported by:	James Lysinger
Type of Incident:	Use of Force WITHOUT Chemical/Inflammatory Agents WITH Less Than Significant Injuries			
Date/Time Incident Occurred:	02/13/2020 @ 09:40 Hours			
Location of Incident (Unit, Quad, Cell, dining hall, etc.)	Fox Charlie Cell #110, (MED Segregation) Davis Correctional Facility Holdenville, Oklahoma			

A. Full description of incident (who, what, where, when, why and how. Include all inmate and staff actions during the incident):

Thursday, February 13, 2020 at approximately 0940 hours, inmate Brown, Brandon 592090 (Date of Birth: [REDACTED], Race: Black, Affiliation: Gangster Disciples) refused to submit to hand restraints when ordered to be placed on property restriction due to his recent behavior. After an attempt at de-escalation failed, Assistant Warden Mark Gentry gave the approval to utilize an Extraction Team.

The Extraction Team consisted of the following staff:

Senior Correctional Officer Joshua Louthan - #1, shield

Senior Correctional Officer Spencer Choate - #2, upper left appendage

Correctional Counselor Kevin Davis - #3, Team Leader, upper right appendage and hand restraints

Correctional Officer Michael Dupris - #4, lower left appendage

Correctional Officer Andrew Smith - #5, lower right appendage

Senior Correctional Officer Jeremy McConnell - camera operator

Once assembled, the Extraction Team went to Fox Charlie Cell #110 as a show of force. Assistant Shift Supervisor Mark Mowers conducted confrontational avoidance and gave inmate Brown verbal directives to submit to hand restraints, he complied. Correctional Counselor Davis placed hand restraints on inmate Brown. Once hand restraints were applied, Case Manager David Worsham utilized the door key to unlock Fox Charlie Cell #110. Once the cell door was opened, inmate Brown took an aggressive stance and attempted to get up from the ground and charge the extraction team. At this time the Extraction Team used their physical strength and body weight to place inmate Brown on the ground in a prone position in order to gain compliance. Correctional Officer Smith then placed leg restraints on inmate Brown. Correctional Officer Smith and Correctional Officer Dupris assisted inmate Brown to his feet and escorted him to the Fox Unit Classroom, where he received a medical evaluation. Once the evaluation was complete, Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to Fox Charlie and secured him in Cell #110 without further incident.

**SUSPECTS:**

Inmate Brown, Brandon #592090 (Date of Birth: 06/27/1985, Race: Black, Affiliation: Gangster Disciples)

**ESCORTS:**

Correctional Officer Smith and Correctional Officer Dupris assisted inmate Brown to his feet and escorted him to the Fox Unit Classroom, where he received a medical evaluation. Once the evaluation was complete, Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to Fox Charlie and secured him in Cell #110 without further incident.

**MEDICAL REPORTS/INJURIES TO STAFF:**

Senior Correctional Officer Louthan received an evaluation conducted by Licensed Practical Nurse Gloria Goodwin with no injuries noted.

Senior Correctional Officer Choate received an evaluation conducted by Licensed Practical Nurse Goodwin with no injuries noted.

Correctional Counselor Davis received an evaluation conducted by Licensed Practical Nurse Goodwin with no injuries noted.

Correctional Officer Dupris received an evaluation conducted by Licensed Practical Nurse Goodwin with no injuries noted.

Correctional Officer Smith received an evaluation conducted by Licensed Practical Nurse Goodwin with no injuries noted.

**MEDICAL REPORTS/INJURIES TO INMATES:**

Inmate Brown received an evaluation conducted by Registered Nurse Rhonda Shivley with the following injuries noted: Abrasion/Scratch, active bleeding under right eye, Reddened area to left side face, and Abrasion/Scratch, active bleeding to lower right lip.

**CRIME SCENE/EVIDENCE:**

All incident reports, photos, and video submitted with this packet.

**USE OF FORCE:**

Senior Correctional Officer Louthan, Senior Correctional Officer Choate, Correctional Counselor Davis, Correctional Officer Dupris, and Correctional Officer Smith, used their physical strength and body weight to place inmate Brown on the ground in a prone position in order to gain compliance.

**CONCLUSION:**

Inmate Brown will be charged with X-23 specifically, resisting apprehension.

**NOTIFICATIONS:**

Assistant Warden Mark Gentry was notified at 0930 hours by Shift Supervisor Bryce Sparks.

Assistant Warden Anastacio Perez notified ODOC, Contract Monitors Kerry Minyard and JC Colbert at 1030 hours.

**B. Staff involved and role they played during/after the incident:**

**STAFF INVOLVED:**

Assistant Shift Supervisor Mark Mowers – Incident Commander/Confrontational Avoidance  
Senior Correctional Officer Joshua Louthan – Extraction Team/Use of Force  
Senior Correctional Officer Spencer Choate – Extraction Team/Use of Force  
Correctional Counselor Kevin Davis – Extraction Team/Use of Force/Hand Restraints  
Correctional Officer Michael Dupris – Extraction Team/Use of Force/Escort  
Correctional Officer Andrew Smith – Extraction Team/Use of Force/Leg Restraints/Escort  
Senior Correctional Officer Jeremy McConnell – Camera Operator  
Case Manager David Worsham – Door Key  
Licensed Practical Nurse Gloria Goodwin – Staff Evaluations  
Registered Nurse Rhonda Shively – Inmate Brown Evaluation

**C. Inmates involved:**

Full Name	DOC #	Race	Age	Sentence Length/Days Remaining/Crime/STG Affiliation	Updated offender profile screening form attached (Y or N)	Mental Health Level/Medication Compliance (past 90 days) (Y or N)	Updated Mental Health Assessment Attached (Y or N)
BROWN, BRANDON LEE	592090	B	34	OK 21-711.1 - Manslaughter In The First Degree OK 21- 1283 - Con/Felons Prohib/Carry Firearms OK 21-1272.1 - Carrying Weapon Where Alc Is Served OK 63-2-402.B2 - Poss Of Cds (Marijuana) Afcf OK 63-2-402.B2 - Poss Of Cds (Marijuana) Afcf/GANGSTER DISCIPLES	Y	Y	Y

**D. Injuries sustained (Protected health Information):**

Staff or Inmate (S or I)	Full Name	Type of Injury	Cause of Injury	Treatment Received- Inmate (provide update on current condition, treatment and location)	Treatment Received-Staff (was treatment provided outside of the facility)
I	BROWN, BRANDON LEE	Abrasion/scratch, active bleeding under right eye, Abrasion/scratch, active bleeding lower right lip, reddened area under left eye.	Use of Force	Basic First-Aide at the Facility	

E. What future impacts will/could this incident have on staff and/or inmates and other facilities?  
None

F. What corrective measures were implemented and what follow-up action should be addressed to resolve and/or prevent future incidents?  
None

G. What disciplinary actions/commendations for staff were recommended?  
None

H. If there is no video related to this incident, explain why:  
N/A

I. If there is video of this incident, how many discs are included or uploaded with this report?  
2

Will transfers or separatees be recommended for any of the inmates involved?  
Not at this time.

What events precipitated this event?  
Inmate Brown refused to comply with directives and an attempt at confrontational avoidance failed.

Were any weapons or contraband recovered during this incident?  
No.

(R 4/18)

Attachment H  
OP-050108  
Page 1 of 4

<b>Incident Notification Report</b>					
As incidents vary, additional questions may need to be asked to clarify (if possible) the event(s) that occurred. An update of staff or inmate injuries will require a follow-up e-mail to provide the condition of staff and/or inmates. This update should be requested periodically and supplied by the facility as new information is learned.					
Date Report Completed: 02/14/2020					
Facility: Davis Correctional Facility (DCF) Holdenville, OK.		Reported by: Anastacio Perez, Assistant Warden			
Type of Incident: Use of Force					
Date/Time Incident Occurred: 02/13/2020 0940 Hours		Date/Time Division Regional Director Notified: 02/13/2020		1030 Hours JC Colbert Kerry Minyard	
Location of Incident (Unit, Quad, Cell, dining hall, etc.)		Facility Property \ Section: F \ Block: FC \ Cell: 110		Unit locked down? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has director of Fugitive Apprehension and Investigations been notified? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		By Whom?		When?	
<b>Incident Classification</b>					
1. Inmate-on-Inmate assaults with serious injury: NA					
1a. Number of Inmate-on-Inmate victims of assaults with serious injury: NA					
2. Inmate-on-Inmate assaults without serious injury: NA					
3. Inmate-on-Inmate fight: NA					
4. Inmate-on-Inmate assaults by throwing substances: NA					
5. Disruptive Event: NA					
<b>Inmates Involved</b> (attach additional pages if needed)					
Full Name	DOC #	Race	Age	Crime(s)	
BROWN, BRANDON LEE	592090	B	34	Degree - Manslaughter In The First Firearms - Con/Felons Prohib/Carry Is Served Carrying Weapon Where Alc Atcl - Poss Of Cds (Marijuana) Atcl - Poss Of Cds (Marijuana)	
<b>Staff Involved</b> (attach additional pages if needed)					
Full Name		Title/Position			
McConnell, Jeremy Ea		Sr Correctional Officer			
Worsham, David S		Case Manager			
Louthan, Joshua Lane		Sr Correctional Officer			
Davis, Kevin Ryan		Correctional Counselor			
Dupris, Michael Aa		Correctional Officer			
Smith, Andrew W		Correctional Officer			
Choate, Spencer Elias		Sr Correctional Officer			
Mowers, Mark A		Assistant Shift Supervisor			
<b>Brief Summary of Incident</b>					
On Thursday, February 13, 2020 at approximately 0940 hours, inmate Brown, Brandon #592090 (Date of Birth: [REDACTED], Race: Black, Affiliation: Gangster Disciples) refused to submit to hand restraints when ordered to be placed on property restriction. On approval from Mark Gentry, Assistant Warden an extraction team was assembled and consisted of the following staff: Senior Correctional Officer Joshua Louthan, Senior Correctional Officer Spencer Choate, Correctional					

Attachment H  
OP-050108  
Page 2 of 4

Counselor Kevin Davis, Correctional Officer Michael Dupris, and Correctional Officer Andrew Smith. Senior Correctional Officer Jeremy McConnell was the camera operator.

Once assembled, the Extraction Team went to Fox Charlie Cell #110 as a show of force. Assistant Shift Supervisor Mark Mowers conducted confrontational avoidance and gave inmate Brown verbal directives to submit to hand restraints, he complied. Correctional Counselor Davis placed hand restraints on inmate Brown. Once hand restraints were applied, Case Manager David Worsham utilized the door key to unlock Fox Charlie Cell #110. Once the cell door was opened, inmate Brown took an aggressive stance and attempted to get up from the ground and charge the extraction team. At this time the Extraction Team used their physical strength and body weight to place inmate Brown on the ground to gain compliance. Correctional Officer Smith placed leg restraints on inmate Brown. Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to the Fox Unit Classroom, where he received a medical evaluation. Once the medical evaluation was complete, Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to Fox Charlie and secured him in Cell #110.

**SUSPECTS:**

Brown, Brandon #592090 (Date of Birth: [REDACTED] Race: Black, Affiliation: Gangster Disciples)

**VICTIMS:**

N/A

**ESCORTS:**

Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to the Fox Unit Classroom, where he received a medical evaluation. Once the medical evaluation was complete, Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to Fox Charlie and secured him in Cell #110.

**MEDICAL REPORTS/INJURIES TO STAFF:**

Senior Correctional Officer Louthan, Senior Correctional Officer Choate, Correctional Counselor Davis, Correctional Officer Dupris, and Correctional Officer Smith, received a medical evaluation from Licensed Practical Nurse Gloria Goodwin with no injuries noted.

**MEDICAL REPORTS/INJURIES TO INMATES:**

Inmate Brown received a medical evaluation from Registered Nurse Rhonda Shivley, with the following injuries noted: Abrasion/Scratch, active bleeding under right eye, Reddened area to left side face, and Abrasion/Scratch, active bleeding to lower right lip.

**CRIME SCENE/EVIDENCE:**

All incident reports, photos, and video submitted with this packet.

**USE OF FORCE:**

Senior Correctional Officer Louthan, Senior Correctional Officer Choate, Correctional Counselor Davis, Correctional Officer Dupris, and Correctional Officer Smith, used their physical strength and body weight to place inmate Brown on the ground to gain compliance.

**CONCLUSION:**

Inmate Brown will be charged with X-23 specifically, resisting apprehension.

**NOTIFICATIONS:**

Mark Gentry, Assistant Warden was notified at 0930 hours by Shift Supervisor Bryce Sparks.

Anastacio Perez, Assistant Warden notified ODOC Contract Monitors Kerry Minyard and JC Colbert at 1030 hours.

**Staff/Inmate Injuries (Protected Health Information)**

(Be as specific as possible - head wound, puncture wound, etc., to include any emergency treatment/hospital transport)

BRANDON BROWN (592090) - Abrasion/scratch, active bleeding under right eye, Abrasion/scratch, active bleeding lower right lip, reddened area under left eye. Hospital Admission: No

**Weapons Used/Recovered  
(If known)**

If applicable, was the Inmate single celled?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, was cell partner involved?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Name/DOC#	
--	---	-----------------------------------	---	-----------	--

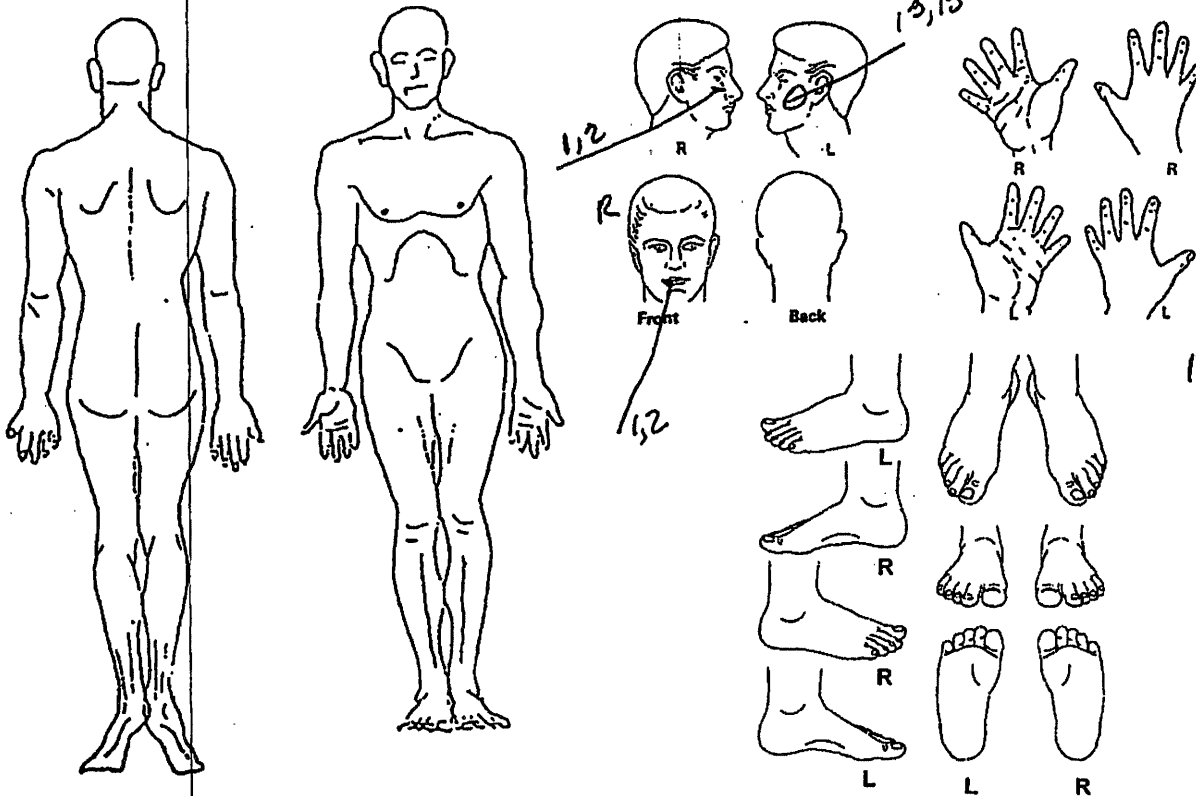
Attachment H  
OP-050108  
Page 3 of 4

<b>Any other pertinent information specific to this incident</b>	
Brown, Brandon #592090 (Date of Birth: <span style="background-color: black; color: black;">[REDACTED]</span> Race: Black, Affiliation: Gangster Disciples)	
<b>Notification</b>	
<p>Reported to Regional Director by:</p> <p>Name: <u>Kevin Brown</u> Date: <u>2-14-20</u> Time: <u>0744</u></p> <p>OFFICE OF FUGITIVE APPREHENSION AND INVESTIGATIONS TO NOTIFY THE PUBLIC INFORMATION OFFICER</p> <p><u>James Rudel</u> Date: <u>2/14/20</u> Time: <u>8:17 AM</u></p> <p>Signature of Regional Director</p> <p>Comprehensive Report Ordered: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>The report will be as detailed as possible utilizing Attachment A "Comprehensive Report."</p>	



13-34A2

# Facility Emergency Anatomical Form



☒ Inmate/Resident ☐ Employee  
 Facility Name: ADCF Date: 2/13/2020 Time: 0940  
 Name: (Last, First) Brown, Brandon Agency # / Employee #: 592090  
 Age: 34 Race: AA Sex: ☒ male ☐ female Time Notified: 0935 Time Seen: 0935  
 Place of Occurrence: FCLIP Date/Time of Occurrence: 2/13/20 @ ?  
 Reason for Report: ☐ injury ☐ on the job injury ☒ use of force ☐ pre-seg admission ☐ other: \_\_\_\_\_  
 Mode of Arrival? ☐ wheelchair ☒ ambulatory ☐ on-site ☒ escorted by security

Injuries Found? ☒ Yes ☐ No - If yes, use the appropriate code number on the figures above

Abrasions/Scratch	1	Fresh Tattoo	7	Reddened Area	13	Other, list below	
Active Bleeding	2	Cut/Laceration/Slash	8	Skin Flap	14		17
Bruise/Discoloration	3	Chemical Spray Area	9	Swollen Area	15		18
Burn	4	Pain	10	Open Fracture	16		19
Deformity	5	Protrusion	11				
Dried Blood	6	Puncture	12				

RN Notified: Orshiley, Rn

Time: 0940

LIP Notified: \_\_\_\_\_

Time: \_\_\_\_\_

Form Completed By/Title: \_\_\_\_\_

Print/Sign Orshiley, Rn

Chemical Spray Exposure? ☐ Yes ☒ No Decontaminated? ☐ Yes ☒ No Self-decontamination instructions given? ☐ Yes ☒ No

Refused Decontamination? ☐ Yes ☒ No Placed on every 15 minute respiratory checks? ☐ Yes ☒ No

Brief Statement in subject's words of the circumstances of the occurrence: \_\_\_\_\_

Comments: BBS CTA, NAD.

Disposition: Seg Time: \_\_\_\_\_

10/10/12



078



1/M Brown

